

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Permit G-18465,)	REVISED PROPOSED FINAL ORDER
Harney County)	APPROVING ASSIGNMENT OF
)	WATER RIGHT PERMIT AND
)	ISSUANCE OF REPLACEMENT
)	WATER RIGHT PERMITS

Authority

ORS 537.225 establishes the process in which a water right permit holder may submit a request for full or partial assignment of a water right permit and issuance of replacement permits. OAR Chapter 690, Division 325 establishes the requirements and procedures to be used by the Department to evaluate an application by a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use to assign all or part of the water right permit and to issue replacement permits to reflect an assignment from the current permit holder to one or more additional permit holders.

Applicant

JESSE VAN DE STROET
1524 29TH STREET
INWOOD, IA 51240

Findings of Fact

Background

1. On July 5, 2018, JESSE VAN DE STROET, filed an application for partial assignment of Water Right Permit G-16663 and requested issuance of replacement permits. The Department assigned the application number T-12965.
2. On June 12, 2014 the Department confirmed a partial assignment of a portion of Permit G-16663 to Douglas and Tamra Gunderson and Inwood Feeders.
3. On July 10, 2014 the Department confirmed a partial assignment of a portion of Permit G-16663 to Douglas and Tamra Gunderson and Jesse Van De Stroet.
4. On October 6, 2016 the Department confirmed a partial assignment of a portion of Permit G-16663 to Douglas and Tamra Gunderson and Jesse Van De Stroet.
5. On November 13, 2015, the Department issued an order approving an Extension of Time Application extending the completion date for construction of works to October 1, 2022.

Pursuant to OAR 690-325-0100, any person may file a protest or standing statement within 45 days after the date of publication of notice of this Proposed Final Order.
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6. On January 22, 2019, the Department issued a Proposed Final Order and published Notice of the Proposed Final Order in the Department's weekly notice.
7. On March 8, 2019, as a result of the Proposed Final Order, a protest was received by the Department from Jesse Van De Stroet, 1524 29th Street, Inwood, IA, 51240. The applicant was advised to file and complete a Permit Amendment for Permit G-16663, prior to the issues in the protest being addressed.
8. On May 22, 2019, JESSE VAN DE STROET filed an application for changes in points of appropriation, and to change the place of use under Permit G-16663, and to change the points of appropriation, and to change the place of use under Permit G-16676. The Department assigned the application number T-13188.
9. On November 19, 2019, the Department issued a Final Order to Deny Permit Amendment Application T-13188, recorded at Special Order Volume 114, Pages 390 - 395. The Department determined that the order should be reconsidered due to an error in Finding of Fact No. 14.
10. On January 9, 2020, an order of reconsideration was issued to supersede the previous order recorded at Special Order Volume 114, Pages 390-395. The superseding order was recorded at Special Order Volume 114, Page 743-749 and resulted in the issuance of superseding permit G-16676.
11. On April 30, 2020, an order of reconsideration was issued to supersede the previous order recorded at Special Order Volume 114, Pages 743-749 and did not result in issuance of a superseding permit.
12. On June 16, 2020, the attorney for the applicant of Permit Amendment Application T-13188, requested a reconsideration.
13. On August 11, 2020, an order of reconsideration was issued to supersede the previous order recorded at Special Order Volume 116, Pages 603-610. The superseding order was recorded at Special Order Volume 117, Page 278-284 and resulted in the issuance of superseding permit G-18333.
14. The Applicant identified the following landowner within the authorized place of use, who are not participating in the request for assignment:

Name and Address	Acres	Proportionate Rate	Twp	Rng	Sec	Q-Q
Douglas & Tamra Gunderson 70029 Highway 205 Burns, OR 97720	251.2	3.12 CFS	24 S	32.5 E	29	NE NW SE SW

15. The Proposed Final Order issued by the Department on January 22, 2019 proposed the Permit to be modified and assigned as follows:

Permit: G-16663 in the name of DOUGLAS AND TAMRA GUNDERSON
Use: IRRIGATION of 502.4 ACRES
Priority Date: AUGUST 25, 2009
Quantity: 6.24 CUBIC FEET PER SECOND (CFS), BEING 1.56 CFS FROM WELL 1, WELL2, WELL 3, AND WELL 4
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL 1 AND WELL 3 IN EAST FORK SILVIES RIVER BASIN, AND WELL 2 AND WELL 4 IN MALHEUR SLOUGH BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	29	NE NW	WELL 1 - 2610 FEET NORTH AND 925 FEET WEST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	NW NE	WELL 2 - 2610 FEET NORTH AND 960 FEET EAST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	SE SW	WELL 3 - 2580 FEET SOUTH AND 740 FEET WEST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	SE SE	WELL 4 - 2580 FEET SOUTH AND 1785 FEET EAST FROM C1/4 CORNER, SECTION 29

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	29	NE NE	31.4
24 S	32.5 E	WM	29	NW NE	31.4
24 S	32.5 E	WM	29	SW NE	31.4
24 S	32.5 E	WM	29	SE NE	31.4
24 S	32.5 E	WM	29	NE NW	31.4
24 S	32.5 E	WM	29	NW NW	31.4
24 S	32.5 E	WM	29	SW NW	31.4
24 S	32.5 E	WM	29	SE NW	31.4
24 S	32.5 E	WM	29	NE SW	31.4
24 S	32.5 E	WM	29	NW SW	31.4
24 S	32.5 E	WM	29	SW SW	31.4
24 S	32.5 E	WM	29	SE SW	31.4
24 S	32.5 E	WM	29	NE SE	31.4
24 S	32.5 E	WM	29	NW SE	31.4
24 S	32.5 E	WM	29	SW SE	31.4
24 S	32.5 E	WM	29	SE SE	31.4
Total					502.4

16. The Proposed Final Order issued by the Department on January 22, 2019 proposed Permit G-16663 be split and replacement permits be issued as follows:

Permit A: JESSE VAN DE STROET

Use: IRRIGATION of 251.2 ACRES
Priority Date: AUGUST 25, 2009
Quantity: 3.12 CUBIC FEET PER SECOND (CFS), BEING 0.78 CFS FROM WELL 1, WELL2, WELL 3, AND WELL 4
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL 1 AND WELL 3 IN EAST FORK SILVIES RIVER BASIN, AND WELL 2 AND WELL 4 IN MALHEUR SLOUGH BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	29	NE NW	WELL 1 - 2610 FEET NORTH AND 925 FEET WEST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	NW NE	WELL 2 - 2610 FEET NORTH AND 960 FEET EAST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	SE SW	WELL 3 - 2580 FEET SOUTH AND 740 FEET WEST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	SE SE	WELL 4 - 2580 FEET SOUTH AND 1785 FEET EAST FROM C1/4 CORNER, SECTION 29

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	29	NE NE	31.4
24 S	32.5 E	WM	29	NW NE	31.4
24 S	32.5 E	WM	29	SW NE	31.4
24 S	32.5 E	WM	29	SE NE	31.4
24 S	32.5 E	WM	29	NE SE	31.4
24 S	32.5 E	WM	29	NW SE	31.4
24 S	32.5 E	WM	29	SW SE	31.4
24 S	32.5 E	WM	29	SE SE	31.4
Total					251.2

Permit B: DOUGLAS AND TAMRA GUNDERSON

Use: IRRIGATION of 251.2 ACRES
Priority Date: AUGUST 25, 2009
Quantity: 3.12 CUBIC FEET PER SECOND (CFS), BEING 0.78 CFS FROM WELL 1, WELL2, WELL 3, AND WELL 4
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL 1 AND WELL 3 IN EAST FORK SILVIES RIVER BASIN, AND WELL 2 AND WELL 4 IN MALHEUR SLOUGH BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	29	NE NW	WELL 1 - 2610 FEET NORTH AND 925 FEET WEST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	NW NE	WELL 2 - 2610 FEET NORTH AND 960 FEET EAST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	SE SW	WELL 3 - 2580 FEET SOUTH AND 740 FEET WEST FROM C1/4 CORNER, SECTION 29
24 S	32.5 E	WM	29	SE SE	WELL 4 - 2580 FEET SOUTH AND 1785 FEET EAST FROM C1/4 CORNER, SECTION 29

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	32.5 E	WM	29	NE NW	31.4
24 S	32.5 E	WM	29	NW NW	31.4
24 S	32.5 E	WM	29	SW NW	31.4
24 S	32.5 E	WM	29	SE NW	31.4
24 S	32.5 E	WM	29	NE SW	31.4
24 S	32.5 E	WM	29	NW SW	31.4
24 S	32.5 E	WM	29	SW SW	31.4
24 S	32.5 E	WM	29	SE SW	31.4
Total					251.2

17. Upon approval of Permit Amendment T-13188 order of reconsideration recorded at Special Order Volume 117, Page 278-284 and resulting in issuance of superseding permit G-18465, the Permit to be modified and assigned is as follows:

Permit: G-18465 in the name of DOUGLAS AND TAMRA GUNDERSON and JESSE T. VAN DE STROET
Use: IRRIGATION of 502.4 ACRES
Priority Date: AUGUST 25, 2009
Quantity: 6.24 CUBIC FEET PER SECOND (CFS), BEING 3.12 CFS FROM ANY COMBINATION OF WELLS T1, T2, T3, T4, T5, AND T6, AND 3.12 CFS FROM ANY COMBINATION OF WELLS TYLER 1, TYLER 2 AND TYLER 3.
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL T1, WELL T2, WELL T3, WELL T4, WELL T5 AND WELL T6 IN MALHEUR SLOUGH BASIN, AND WELL TYLER 1, WELL TYLER 2, AND WELL TYLER 3 IN EAST FORK SILVIES RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	20	NE SW	WELL TYLER 3 – 1370 FEET NORTH AND 1250 FEET WEST FROM THE S1/4 CORNER OF SECTION 20
24 S	32.5 E	WM	20	SE SW	WELL TYLER 1 – 90 FEET NORTH AND 140 FEET WEST FROM THE S1/4 CORNER OF SECTION 20
24 S	32.5 E	WM	20	NE SE	WELL T5 – 2258 FEET NORTH AND 2609 FEET EAST FROM THE ¼ CORNER OF SECTIONS 20 AND 29
24 S	32.5 E	WM	21	NE SE	WELL T6 – 1120 FEET SOUTH AND 50 FEET WEST FROM THE ¼ CORNER OF SECTIONS 21 AND 22
24 S	32.5 E	WM	21	SE SE	WELL T3 – 50 FEET NORTH AND 160 FEET WEST FROM THE SE CORNER OF SECTION 21
24 S	32.5 E	WM	28	SE NW	WELL T2 – 1355 FEET SOUTH AND 1400 FEET EAST FROM THE NW CORNER OF SECTION 28
24 S	32.5 E	WM	29	NE NE	WELL T1 – 1335 FEET NORTH AND 1395 FEET EAST FROM THE C1/4 CORNER OF SECTION 29
24 S	32.5 E	WM	29	NE NW	WELL TYLER 2 – 300 FEET SOUTH AND 100 FEET WEST FROM THE N1/4 CORNER OF SECTION 29
24 S	32.5 E	WM	29	NE SE	WELL T4 – 410 FEET SOUTH AND 2490 FEET EAST FROM THE C1/4 CORNER OF SECTION 29

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	ACRES	POA
24 S	32.5 E	WM	20	NE SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	20	NW SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	20	SW SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	20	SE SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	NE NE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	NW NE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SW NE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SE NE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	NE NW	31.4	TYLER 1, TYLER 2, AND TYLER 3

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	ACRES	POA
24 S	32.5 E	WM	29	NW NW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	SW NW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	SW NW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	NE SE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	NW SE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SW SE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SE SE	31.4	T1, T2, T3, T4, T5, AND T6
Total					502.4	

18. As a result of approval Permit Amendment T-13188 order of reconsideration recorded at Special Order Volume 117, Page 278-284, original permitted Well #2 and Well #4 were replaced by Wells T1, T2, T3, T4, T5, and T6. Original permitted Well #1 and Well #3 were replaced by Well Tyler 1, Well Tyler 2 and Well Tyler 3.
19. The Applicants request Permit G-18465 be split and replacement permits be issued as follows:

Permit A: JESSE VAN DE STROET

Use: IRRIGATION of 251.2 ACRES
Priority Date: AUGUST 25, 2009
Quantity: 3.12 CUBIC FEET PER SECOND (CFS), BEING 3.12 CFS FROM ANY COMBINATION OF WELLS T1, T2, T3, T4, T5, AND T6
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL T1, WELL T2, WELL T3, WELL T4, WELL T5 AND WELL T6 IN MALHEUR SLOUGH BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	20	NE SE	WELL T5 – 2258 FEET NORTH AND 2609 FEET EAST FROM THE ¼ CORNER OF SECTIONS 20 AND 29
24 S	32.5 E	WM	21	NE SE	WELL T6 – 1120 FEET SOUTH AND 50 FEET WEST FROM THE ¼ CORNER OF SECTIONS 21 AND 22
24 S	32.5 E	WM	21	SE SE	WELL T3 – 50 FEET NORTH AND 160 FEET WEST FROM THE SE CORNER OF SECTION 21
24 S	32.5 E	WM	28	SE NW	WELL T2 – 1355 FEET SOUTH AND 1400 FEET EAST FROM THE NW CORNER OF SECTION 28
24 S	32.5 E	WM	29	NE NE	WELL T1 – 1335 FEET NORTH AND 1395 FEET EAST FROM THE C1/4 CORNER OF SECTION 29
24 S	32.5 E	WM	29	NE SE	WELL T4 – 410 FEET SOUTH AND 2490 FEET EAST FROM THE C1/4 CORNER OF SECTION 29

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	ACRES	POA
24 S	32.5 E	WM	29	NE NE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	NW NE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SW NE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SE NE	31.4	T1, T2, T3, T4, T5, AND T6

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	ACRES	POA
24 S	32.5 E	WM	29	NE SE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	NW SE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SW SE	31.4	T1, T2, T3, T4, T5, AND T6
24 S	32.5 E	WM	29	SE SE	31.4	T1, T2, T3, T4, T5, AND T6
Total					251.2	

Permit B: DOUGLAS AND TAMRA GUNDERSON

Use: IRRIGATION of 251.2 ACRES
Priority Date: AUGUST 25, 2009
Quantity: 3.12 CUBIC FEET PER SECOND (CFS), BEING 3.12 CFS FROM ANY COMBINATION OF WELLS TYLER 1, TYLER 2 AND TYLER 3.
Rate/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL TYLER 1, WELL TYLER 2, AND WELL TYLER 3 IN EAST FORK SILVIES RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	32.5 E	WM	20	NE SW	WELL TYLER 3 – 1370 FEET NORTH AND 1250 FEET WEST FROM THE S1/4 CORNER OF SECTION 20
24 S	32.5 E	WM	20	SE SW	WELL TYLER 1 – 90 FEET NORTH AND 140 FEET WEST FROM THE S1/4 CORNER OF SECTION 20
24 S	32.5 E	WM	29	NE NW	WELL TYLER 2 – 300 FEET SOUTH AND 100 FEET WEST FROM THE N1/4 CORNER OF SECTION 29

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	ACRES	POA
24 S	32.5 E	WM	20	NE SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	20	NW SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	20	SW SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	20	SE SW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	NE NW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	NW NW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	SW NW	31.4	TYLER 1, TYLER 2, AND TYLER 3
24 S	32.5 E	WM	29	SW NW	31.4	TYLER 1, TYLER 2, AND TYLER 3
Total					251.2	

20. Notice of the application for assignment of the water right permit and request for issuance of replacement water right permits was published in the Department’s weekly notice on November 13, 2018, pursuant to ORS 537.225(3) and OAR 690-325-0080. No comments were filed in response to the notice. In addition, the Department provided copies of the draft Proposed Final Order, draft replacement permits, the application, map, and existing water right permit to each owner of land upon which the water right permit is appurtenant.
21. On January 22, 2019, the Department issued a Proposed Final Order considering any comments received, and sent a copy to the applicant, each owner of land upon which the

water right permit is appurtenant. Notice of the Proposed Final Order was published in the Department's weekly notice on January 22, 2019.

22. On March 8, 2019 a protest was received by Jesse Van De Stroet, 1524 29th Street, Inwood, IA, 51240.

Split a Permit Review Criteria

23. The Department has verified the mailing address of each owner of the authorized place of use identified on the map contained in the application as follows:

Name and Address	Acres	Proportionate Rate	Twp	Rng	Mer	Sec	Q-Q
Jesse Van De Stroet 1524 29 th Street Inwood, IA 51240	251.2	3.12 CFS	24 S	32.5 E	WM	29	Multiple
Douglas & Tamra Gunderson 70029 Highway 205 Burns, OR 97720	251.2	3.12 CFS	24 S	32.5 E	WM	29	Multiple

OAR 690-325-0070(1)(a).

24. The deeds supplied with the application, match the properties proposed for assignment. OAR 690-325-0070(1)(b).
25. The applicant affirmed the most recent water use under the permit has been exercised within the relevant terms and conditions of the water right permit. OAR 690-325-0070(1)(c).
26. The assignment and issuance of replacement permits, as outlined in Finding of Fact #19 above, would not result in injury to other water right holders. OAR 690-325-0070(1)(d).
27. The assignment and issuance of replacement permits, as outlined in Finding of Fact #19 above, would not result in enlargement of the permit. OAR 690-325-0070(1)(d).
28. The assignment and issuance of replacement permits does not alter any other terms of Permit G-18465.

Conclusions of Law

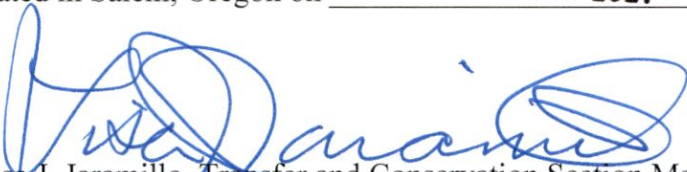
The assignment and issuance of replacement permits proposed by Application T-12965 are consistent with the requirements of ORS 537.225 and OAR Chapter 690, Division 325. If no protests are filed, an Order will be issued which will include the following:

Now, therefore, it is ORDERED:

1. *The assignment and issuance of replacement permits proposed by Application T-12965 are approved and incorporates all previous assignments.*
2. *Permit G-16663, now Permit G-18465, in the name of Douglas and Tamra Gunderson and Jesse T. Van De Stroet, is cancelled. Permit G-18133, in the name of Jesse Van De Stroet, and Permit G-18134 in the names of Douglas and Tamra Gunderson, are issued to supersede Permit G-18465.*

3. All other terms and conditions under Permit G-18465 are incorporated into Permits G-18133 and G-18134.

Dated in Salem, Oregon on MAY 26 2021


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: MAY 27 2021

This Revised Proposed Final Order was prepared by Arla Davis. If you should have any questions, please do not hesitate to contact me by email at arla.l.davis@oregon.gov

Protest Rights:

A record landowner, an applicant, an assignee, an affected water right permit holder, or other interested person may protest the Proposed Final Order. Pursuant to OAR 690-325-0100, protests must: 1) provide a detailed explanation of why the proposed order does not conform with the criteria under ORS 537.225, and a description of the changes to the order that are necessary to correct the nonconformity; and 2) raise all reasonably ascertainable issues at the time the protest is filed. The issues must directly pertain to whether the replacement water right permits are authorized under and in conformance with ORS 537.225. In addition, protests must be accompanied by the appropriate protest fees. Protests must be received by the Department no later than 45 days after the notice is published in the Department's weekly notice. If no protests are filed, the Department will issue a final order consistent with the Proposed Final Order.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

The Proposed Final Order may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Persons interested in receiving a copy of a Proposed Final Order must pay a statutorily-required fee of \$30. Any person paying \$30 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the Federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>